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PTO/SB/21 (05-03)

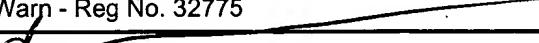
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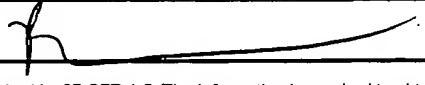
		Application Number	10/034, 826
		Filing Date	December 28, 2001
		First Named Inventor	Garrett Holmes, et al.
		Art Unit	2832
		Examiner Name	Lincoln D. Donovan
Total Number of Pages in This Submission		Attorney Docket Number	DKT 00054A (BWI-00055)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Restriction Requirement; and Return Receipt Postcard
<div style="border: 1px solid black; padding: 2px;">Remarks</div> <p>Applicant believes no fee to be due for the attached filing, however, should additional fees be due in order to prevent the abandonment of this application, please consider this as authorization to charge Deposit Account No. 501612 (Warn, Burgess &amp; Hoffmann, P.C.) for any such fees due. A duplicate copy of this document is enclosed for this purpose.</p>		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	Warn, Burgess & Hoffmann, P.C. Philip R. Warn - Reg No. 32775	
Signature		
Date	May 28 2003	

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Typed or printed name	Philip R. Warn - Reg. No. 32775		
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			May 28, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/034, 826

Filing Date: December 28, 2001

Applicant: Garrett Holmes, et al.

Group Art Unit: 2832

Examiner: Lincoln D. Donovan

Title: VARIABLE BLEED SOLENOID

Attorney Docket: DKT 00054A (BWI-00055)

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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the Examiner's Office Action dated April 28, 2003, to which a timely one-month response is due by Wednesday, May 28, 2003. The Examiner asserted that the above-referenced patent application discloses the following inventions:

Group I: Claims 1-8, drawn to a valve assembly, classified in class 251, subclass 129.15;

Group II: Claims 9-16, drawn to a solenoid for a valve assembly, classified in class 335, subclass 256; and

Group III: Claims 13-22, drawn to a control circuit for a valve, classified in class 251, subclass 129.01.

The Examiner required restriction under 35 U.S.C. 121 to one of the allegedly patentably distinct groups of designs.

The Applicants respectfully traverse the restriction requirement.

The Applicants contend that while the claims of the present invention may arguably be properly classified as proposed by the Examiner, the actual search required to be conducted by the Examiner with respect to any one particular group will, in all probability, entail searching in multiple classes and multiple subclasses that encompass, or at least overlap, the classes and subclasses identified by the Examiner. For example, the Examiner stated that Groups I and III are both classified in class 251. Therefore, the Applicants submit that the search required to concurrently examine all of the claims of the instant application will not be unduly burdensome.

The Applicants hereby elect Group I, claims 1-8, with traverse, for prosecution on the merits.

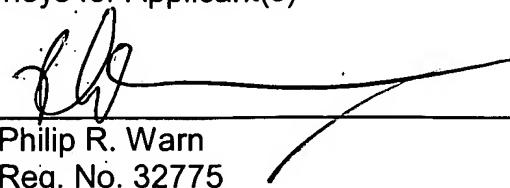
The Applicants respectfully request consideration of the claims of the instant application and a favorable response is earnestly solicited. In the interests of expediting the prosecution of the instant application, it is respectfully requested that the Examiner contact the attorney of record by telephone in order to resolve any issues concerning patentability.

Respectfully submitted,

**WARN, BURGESS & HOFFMANN, P.C.**  
Attorneys for Applicant(s)

Dated: 5/28/03

By:

  
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